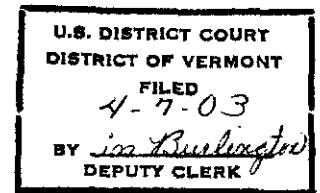


UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT



CIVIL DOCKET NO. 2:03-CV-109

MARK J. FRASER,  
Plaintiff

Vs.

CITY OF BURLINGTON, VERMONT

AND

PETER CLAVELLE,  
MAYOR AND CHIEF EXECUTIVE OFFICER  
OF THE CITY OF BURLINGTON, VERMONT  
Defendants

COMPLAINT AND  
JURY DEMAND

NOW COMES Mark J. Fraser, pro se, a citizen of Burlington, Vermont and files this complaint against the City of Burlington, Vermont and Peter Clavelle, acting in his capacity of Mayor and Chief Executive Officer of the City of Burlington, Vermont as follows:

**JURISTITION**

1. This action is brought under Title 42 U.S.C. 1983.
2. Venue in the District of Vermont is proper under 28 U.S.C. 1391 (b). All Defendants reside in the District of Vermont and each claim for relief arose in the District of Vermont.

**PARTIES**

2. At the time of the filing of this Complaint and at all times relevant hereto, the Plaintiff, Mark J. Fraser, was a resident of 140 Shore Road, Burlington, Vermont 05401.
3. The City of Burlington, Vermont is a Defendant by and through its employees and officers.
4. Peter Clavelle was at all times relevant hereto Mayor and Chief Executive Officer of the City of Burlington, Vermont and was responsible to carry out his duties in good faith and in accordance with the laws, rules, regulations and ordinances of the City of Burlington, Vermont.

**COMPLAINT**

5. In September 1988, Plaintiff purchased his primary residence at 140 Shore Road, Burlington, Vermont.
6. Since approximately October 1988, the Plaintiff has petitioned the City of Burlington, Vermont for appropriate relief from an inordinate and disparate amount of vehicular traffic generated by and arbitrarily manipulated from preferentially treated housing developments.
7. The City of Burlington, Vermont by and through its agents (namely Steven Goodkind, et al) has prejudicially conspired to deny the Plaintiff equal protection and access to the laws and services that are federally and constitutionally mandated. This includes but is not limited to the rights of Due Process in the implementation of traffic calming, street engineering, and housing development review. Conversely, such rights were afforded other constituents to their benefit, albeit, to the detriment of the Plaintiff.
8. As a result of the exclusionary actions by the Defendants, the Plaintiff has suffered the loss of use and enjoyment of his real property, physical endangerment, emotional distress and financial losses.

**DEMAND**

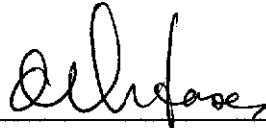
9. Plaintiff demands a Trial by Jury.

WHEREFORE, the Plaintiff respectfully prays:

- A. That judgment be entered against the City of Burlington, Vermont and Peter Clavelle, Mayor and Chief Executive Officer, jointly and severally;
- B. That the Plaintiff be awarded \$1,000,000.00, together with attorney's fees and costs incurred in bringing this action;
- C. That the Plaintiff be awarded compensatory damages and punitive damages and consequential damages in amounts to be proven at trial; and
- D. That the Plaintiff be awarded such other additional relief as the Court may deem just and equitable.

DATED this 7<sup>th</sup> day of April, 2003.

Respectfully Submitted,



MARK J. FRASER - Pro Se  
140 Shore Road  
Burlington, Vermont 05401  
802-860-1847

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

MARK J. FRASER )  
\_\_\_\_\_)  
\_\_\_\_\_) )

Plaintiff(s),

Docket No. 2:03-CV-109

VS.

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and

PETER CLAVELLE )  
Mayor and Chief Executive Officer )

Defendant(s).

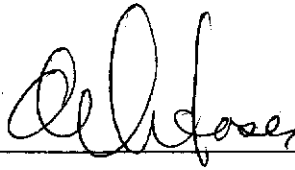
CERTIFICATE OF SERVICE

I certify that on this 7<sup>th</sup> day of April, ~~2003~~ 2003 I served this document:  
Civil Cover Sheet - Summons - Waiver of Service - Notice of Pro Se Appearance

\_\_\_\_\_ on all other parties in this case  
by sending a copy via first class mail to (list the name and address of the person(s) you sent a  
copy to):

Peter Clavelle, Mayor  
City Hall  
149 Church Street  
Burlington, Vermont 05401

Joseph McNeil, Legal Counsel  
City Hall  
149 Church Street  
Burlington, Vermont 05401

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Pro Se Party